

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL DARNELL JONES,

Plaintiff,

v.

CODE ENFORCEMENT
BUSINESS, et al.,

Defendants.

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Civil Action No. 3:22-CV-1907-X-BT

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE
JUDGE**


The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. [Doc. No. 21]. Plaintiff Michael Darnell Jones, proceeding *pro se*, filed an amended complaint that contains no factual allegations and, in response to the Magistrate Judge’s questionnaire, stated that the various defendants violated 42 U.S.C. Section 1983 through “character assassination, racial, civil rights contempt and disrespect, [and] characterizing.”¹ As to each defendant, the Magistrate Judge found that Jones failed to state a claim upon which relief can be granted and recommended that the Court *sua sponte* dismiss the case. Because Jones already filed two complaints and responded to the questionnaire, the Magistrate Judge recommended dismissing with prejudice.

¹ Doc. 18 at 2–3.

Jones filed an objection.² In his objection, Jones discusses the standard for treating Rule 12(b)(6) motions as motions for summary judgment, but that standard is inapplicable here. Jones adds the conclusory assertion that he “was denied the rights of due process” but does not elaborate as to how.³ Jones’ objection fails to refute any of the Magistrate Judge’s findings, conclusions, or recommendations.

The District Court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. The Court **DISMISSES WITH PREJUDICE** all of Jones’ claims against all defendants. The Court **DISMISSES AS MOOT** Jones’ pending motion for leave to proceed *in forma pauperis*.

IT IS SO ORDERED this 6th day of April, 2023.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE

² Doc. 22.

³ *Id.* at 6. Jones’ objection also indicates that Jones intended to use it to “file motions for defamation,” as well as “motions of exten[s]ion of time,” “motions to prove [his] case,” and “motions [for] the rights of due process of law.” *Id.* at 9–10. Even if Jones could file such motions at this stage and as an addendum to his objection, those motions would be moot in light of the Court’s ruling.